

Below is the Order of the Court.



A handwritten signature in black ink, reading "Karen A. Overstreet".

Karen A. Overstreet
U.S. Bankruptcy Judge
(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT, WESTERN DISTRICT OF WASHINGTON

IN RE:

ALEXANDER MCLAREN,

Debtor.

ALEXANDER MCLAREN AND THOMAS
MCLAREN,

Plaintiffs,

vs.

PETER H. ARKISON, TRUSTEE FOR
DEBTOR ALEXANDER MCLAREN;
THOMAS HSUEH, ET UX; TRITON-
AMERICA, LLC; STATE OF
WASHINGTON, DEPARTMENT OF
NATURAL RESOURCES,

Defendants.

Case No. 11-19860-KAO

Adversarial No. 14-01226-KAO

ORDER ON MOTION OF PLAINTIFFS
FOR TEMPORARY RESTRAINING
ORDER, IMMEDIATE ACCESS, AND
OTHER EQUITABLE RELIEF

THIS MATTER came on for hearing upon the Motion for Temporary Restraining Order, Immediate Access, and Other Equitable Relief made by the Plaintiffs, Alexander McLaren and Thomas McLaren. The Court reviewed the pleadings, considered the arguments of counsel, and being fully advised in the premises,

ORDER ON MOTION OF PLAINTIFFS FOR
TEMPORARY RESTRAINING ORDER,
IMMEDIATE ACCESS, AND OTHER EQUITABLE
RELIEF - 1

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1 IT IS ORDERED THAT:

2 1. The Court incorporates by this reference its oral ruling made at the June 25, 2014
3 hearing;

4 2. The Plaintiffs have failed to establish any of the elements necessary for this Court
5 to impose a temporary restraining order;

6 3. This Court does not have jurisdiction over the Plaintiffs' claims against the
7 Washington State Department of Natural Resources;

8 4. The Washington State Department of Natural Resources is not a necessary party
9 to this adversary proceeding;

10 5. Any claims related to personal property that was not the property of the estate,
11 such as personal property of third parties or property acquired by the debtor post-petition are not
12 within the jurisdiction of this court.

13 6. The Order Approving Sale of Real Property and Settlement of Adversary
14 Proceeding entered on January 30, 2014 remains a valid and binding order of this Court. The
15 Order Approving Sale of Real Property and Settlement of Adversary Proceeding could not
16 include any personal property that was not the property of the estate because the Trustee's
17 authority is limited to the property of the estate. This court makes no ruling as to any provision
18 of the Order Approving Sale of Real Property and Settlement of Adversary Proceeding because
19 that order is currently the subject of an appeal.

20 7. The Plaintiffs' motion for Temporary Restraining Order, Immediate Access, and
21 Other Equitable Relief is hereby denied.

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25 ORDER ON MOTION OF PLAINTIFFS FOR
TEMPORARY RESTRAINING ORDER,
IMMEDIATE ACCESS, AND OTHER EQUITABLE
RELIEF - 2

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1 Stipulated to; Approved for Entry;
2 Notice of Presentation Waived by:

3
4 **approved per e-mail**

5 SUSAN LYNNE FULLMER, WSBA #43747
6 Attorney for Plaintiffs

7 Stipulated to; Approved for Entry;
8 Notice of Presentation Waived by:

9 **approved per telephone**

10 PETER H. ARKISON, WSBA #5530
11 Bankruptcy Trustee

12 Stipulated to; Approved for Entry;
13 Notice of Presentative Waived by:

14 SKAGIT LAW GROUP, PLLC

15
16 By 

17 CRAIG E. CAMMOCK, WSBA #24185
18 Attorney for Defendants, Hsueh, et ux. and Triton-America, LLC

19
20
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22
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25
/// End of Order ///

ORDER ON MOTION OF PLAINTIFFS FOR
TEMPORARY RESTRAINING ORDER,
IMMEDIATE ACCESS, AND OTHER EQUITABLE
RELIEF - 3

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